

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-68534-2/MAK

"EXPRESS MAIL" MAILING LABEL

NUMBER **EV 298966039 US**

Anticipated Classification of this Application:

DATE OF DEPOSIT **27 June 2003**

Class/Subclass: Not Yet Known

This paper and its enclosures as listed below (if any) are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

06/27/03
16569 U.S. PTO

Prior Application

Examiner: Jeremy THISSELL

Art Unit: 3763

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

This is a request for filing a[n]

- ☐ Original
- ☐ Continuation
- ☒ Divisional
- ☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Dietrich W. GRABIS, Mary Anne KAEHLER and Kenneth MELLBERG

(Names of ALL Applicants)

for **Method and Device to Protect Syringes and Similar Medical Instruments**

(Title of Invention)

This ☐ continuation ☒ divisional ☐ continuation-in-part

claims priority to pending application Serial No. 09/995,960, filed on 27 November 2001.

1. ☐ Enclosed is a new application.
- ☐ Enclosed is a continuation-in-part application.
- ☒ Enclosed is a copy of the prior application.
2. ☐ Enclosed is a new Declaration.
- ☒ Enclosed is a copy of the prior Declaration as originally filed. (combined Declaration and Power of Attorney)
3. ☒ Applicant claims small entity status (see 37 CFR 1.27)
4. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(i) (Form PTO/SB/35)
5. ☐ Genetic Sequence Submission: Paper copy, Computer Readable Copy; Statement Verifying Identical Paper and Computer Readable Copy
6. ☒ The filing fee is calculated below:
 - ☐ Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$375		\$750
TOTAL CLAIMS	8 - 20 =	0	× 9 =	\$ 0	× 18 =	\$
INDEP CLAIMS	2 - 3 =	0	× 42 =	\$ 0	× 84 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED yes no			+140 =	\$ 0	+280 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$375	TOTAL	\$

21712 U.S. PTO
10/608933
06/27/03

7. ☒ Our check in the amount of \$ 750.00 is enclosed in payment of the above-calculated filing fee.
The Commissioner is hereby authorized to charge the above-calculated filing fee to Deposit Account No. 50-2319 (Order No. _____).
The filing fee is NOT being submitted with this transmittal letter.
8. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 50-2319 (Order No. 463357-00016 [A-68534-2/MAK]).
9. ☒ Cancel in this application original claims 1-11 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
10. ☒ Amend the specification by inserting before the first line the sentence:
--This is a _____ continuation ☒ divisional _____ continuation-in-part
of application Serial No. 09/995,960 filed 27 November 2001 .--
11. _____ Informal drawings are enclosed.
☒ Formal drawings are enclosed.
12. _____ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119.
The certified copy has been filed in prior application Serial No. _____ filed on _____.
13. ☒ The prior application is assigned of record to ITG - International Technology Group LLC
☒ Enclosed is a copy of the assignment from the prior application
_____ Enclosed is a new assignment
_____ with Recordation Form Cover Sheet (PTO-1595)
_____ with our check in the amount of \$40.00 to pay the recordation fee
14. ☒ The power of attorney in the prior application is to:
Name: Michael A. Kaufman, Esq., et al.
Flehr Hohbach Test Albritton & Herbert LLP
Address: 4 Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
The power appears in the original papers in the prior application.
☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.*
_____ A new power has been executed and is enclosed. (*combined Declaration and Power of Attorney)
_____ Address all future communications to the address associated with Customer No. 32940, currently:

DORSEY & WHITNEY LLP
Four Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249

13. _____ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/995,960 as originally filed on 27 November 2001.
15. _____ Request and Certification under 35 U.S.C. 122(b)(2)(i) (Form PTO/SB/35)
16. _____ Also enclosed is/are: _____

Date: 27 June 2003

Signature: Michael A. Kaufman
Michael A. KAUFMAN
Reg. No. 32,998

Address of Signer:

DORSEY & WHITNEY LLP
4 Embarcadero Center - Suite 3400
San Francisco, California 94111-4187
Tel.: (415) 781-1989
Fax: (415) 398-3249

_____ Attorney or agent of record
☒ Filed under 37 C.F.R. § 1.34(a)